

1
2
3
4
5
6
7
IN THE UNITED STATES DISTRICT COURT

8
9
FOR THE NORTHERN DISTRICT OF CALIFORNIA

10
11 EUNICE JOHNSON,

No. C-14-1570 MMC

12 Plaintiff,

13 v.
**ORDER GRANTING JOINT EX PARTE
MOTION TO FILE UNDER SEAL
CERTAIN INFORMATION**

14 TRIPLE LEAF TEA INC.,

15 Defendant.

16 /

17 Before the Court is the parties' "Stipulation and Joint Ex Parte Motion to File Under
18 Seal Certain Information" ("Joint Ex Parte Motion"), filed May 15, 2015, by which the parties
19 seek to file under seal certain financial information contained in the Declaration of Vincent
20 Lam. The Declaration of Vincent Lam is filed by defendant in support of the parties' "Joint
21 Motion for an Order (1) Granting Preliminary Approval of Class Action Settlement, (2)
22 Certifying Settlement Class, (3) Appointing Class Representatives and Class Counsel, (4)
23 Approving Notice Plan, and (5) Setting Final Approval Hearing" ("Joint Motion"), also filed
24 May 15, 2015. Having read and considered the Joint Ex Parte Motion, the Court rules as
25 follows.

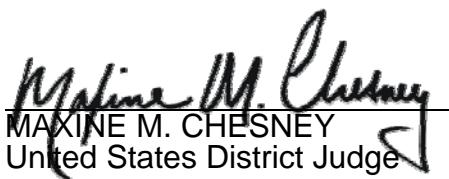
26 As defendant has made a sufficient showing that the subject information should not
27 be made available to the public, the request to seal is narrowly tailored, and the subject
28 financial information has been provided to plaintiff, the Joint Ex Parte Motion is hereby

1 GRANTED, and the Court will consider the subject information for the limited purpose of
2 determining whether to grant the parties the relief sought in the Joint Motion.

3 Should the Court grant the Joint Motion, a settlement class will be certified. To the
4 extent the parties thereafter may wish the Court to consider the subject financial material in
5 connection with a motion for final approval of the settlement, the parties should be prepared
6 to either allow the class timely access to the subject material, see Fed. R. Civ. P. 23(e)(5)
7 (providing class members have right to object to proposed settlement), or, alternatively, to
8 provide authority to support a finding that the Court may consider evidence not made
9 available to the class.

10 **IT IS SO ORDERED.**

11
12 Dated: June 3, 2015


MAXINE M. CHESNEY
United States District Judge

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28